IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

Bail Appl..No. 6261 of 2007()

CR.NO.664/07 OF KODUNGALLURE POLICE STATION

PETITIONER/1ST ACCUSED

PRIYAN, S/O.CHANDRAN,
NADUMANI HOUSE, EDAVILANGE, KODUNGALLUR.

BY ADV. SRI.P.K.ANIL

RESPONDENTS: COMPLAINANT & STATE

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1. THE SUB INSPECTOR OF POLICE,
KODUNGALLUR POLICE STATION.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON 18/10/2007 PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6261 of 2007

Dated this the 18th day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations for the offences punishable under Secs.308 and 324 of the IPC. Political animosity is the alleged motive. The alleged incident took place on 8/8/07. The petitioner had earlier come to this Court with an application for anticipatory bail. That application was dismissed as per the order dated 17/9/07 in B.A.No.5568/07. Thereafter, the petitioner surrendered before the learned Magistrate on 1/10/07. He continues in custody from that date. After taking instructions, it is submitted that the petitioner was given over to the police custody for a short period of time and he is now continuing in judicial custody.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards may be insisted and imposed in view of the criminal antecedents of the petitioner

and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(iii) The petitioner shall not, during the said period of two months, enter the jurisdiction of the Kodungallur Police Station without the prior permission of the learned Magistrate except for the purpose of complying with Condition No.(ii) above.

(R. BASANT, JUDGE)

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